

### **Remarks/Arguments**

Applicants have carefully reviewed the Office Action of April 4, 2007 in which claims 1-44 are pending and have been rejected. Claims 1 and 16 have been amended to correct a typographical error. No new material has been added. Favorable consideration is requested.

Claims 1, 8-10 and 12-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chien et al., U.S. Patent No. 6,165,163 (hereinafter “Chien”). Applicants respectfully traverse the rejection because Chien does not teach each and every element of the claimed invention.

For example, claim 1 recites “a coil assembly including a first coil defining a lumen, the first coil being wound in a first direction and second coil being wound in a second direction, the second coil being disposed about the first coil.” Such an element does not appear to be disclosed by Chien.

In the Office Action, the Examiner relies on Figure 2 to show that element 202 of Chien includes two coils wound in different directions where the one coil is disposed around the other. However, this reliance is misplaced; Figure 2 of Chien is a partial cross-section that shows only one side of element 202. Element 202 is referred to “a distal braid member” that is formed by weaving. Chien at column 10, lines 52-60. In a braid, one element is not disposed around another; rather the two or more elements which make up the braid are interlaced with each other. Because the distal braid 202 is loosely woven, this interlacing is not shown in Figure 2. However, the specification, by calling element 202 a braid member and teaching that it is formed by weaving, teaches that the coils of element 202 are interlaced and that consequently one is not disposed around the other.

For at least this reason, applicants respectfully submit that Chien does not teach every claim element and consequently does not anticipate claim 1. As claims 8-10 and 12-15 depend from claim 1 and contain additional elements, applicants submit that these claims are in condition for allowance as well.

Claims 2-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chien as applied to claim 1 and in view of DeMello et al., U.S. Patent No. 5,429,597 (hereinafter “DeMello”). Applicants respectfully traverse the rejection.

As discussed above with respect to claim 1, Chien does not appear to disclose a coil assembly as claimed. Therefore the modification in view of DeMello suggested by the examiner will not result in the claimed invention. Because claims 2-7 depend from claim 1, which applicants submit is allowable, and contain additional elements, applicants respectfully submit that claims 2-7 are allowable.

Claim 11 was rejected under 35 U.S.C § 103(a) as being unpatentable over Chien as applied to claim 1 in view of Samson et al., U.S. Patent No. 6,143,013 (hereinafter “Samson”). Applicants respectfully traverse the rejection.

As discussed above with respect to claim 1, Chien does not disclose a coil assembly as claimed. Therefore the modification in view of Samson suggested by the examiner will not result in the claimed invention. Because claim 11 depends from claim 1 and contains additional elements, applicants respectfully submit that claims 11 is in condition for allowance.

Claims 16, 23-25, 27-31, 38-40 and 42-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg, U.S. Patent No. 4,873,978, in view of Chien.

Applicants respectfully traverse the rejection.

The Examiner admits that Ginsburg is silent with regards to a coil assembly as claimed and relies upon Chien to supply such a coil assembly. The coil assembly recitation in independent claims 16 and 31, “a coil assembly including a first coil defining a lumen, the first coil being wound in a first direction and second coil wound in a second direction, the second coil being disposed around the first coil,” is the same as that of claim 1. As discussed above with regard to claim 1, Chien does not appear to teach such a coil assembly. The modification of Ginsburg in view of Chien therefore will not result in the claimed invention.

At least for the reason that the combination of Ginsburg and Chien does not appear to teach or suggest each and every claim element, a *prima facie* case of obviousness has not been made with regard to claims 16 and 31 and applicants respectfully submit that these claims are in condition for allowance. As claims 23-25, 27-30, 38-40 and 42-44 depend from one of these claims and contains additional elements, applicants respectfully submit that these claims are in condition for allowance as well.

Claims 17-22 and 32-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ginsburg and Chien as applied to claims 16 and 31 and in view of DeMello as applied to claims 2-7. Applicants respectfully traverse the rejection.

As discussed above, the combination of Ginsburg and Chien does not render obvious claims 16 and 31 nor does DeMello render obvious claims 2-7. As claims 17-22 and 32-37 depend from one of claims 16 and 31 and contains additional elements, applicants respectfully submit that these claims are in condition for allowance as well.

Claims 26 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ginsburg and Chien as applied to claims 16 and 31 and in view of Samson as applied to claim 11. Applicants respectfully traverse the rejection.

As discussed above, the combination of Ginsburg and Chien does not render obvious claims 16 and 31 nor does Samson render obvious claim 11. As claims 26 and 41 depend from claims 16 and 31, respectively, and contains additional elements, applicants respectfully submit that these claims are in condition for allowance as well.

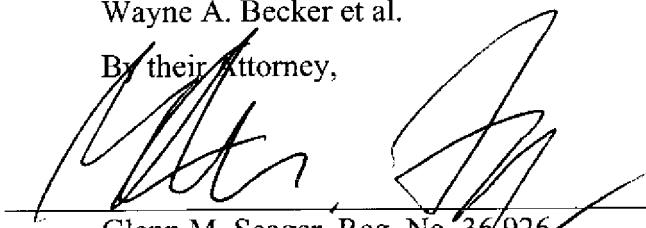
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Wayne A. Becker et al.

By their Attorney,

Date: June 29, 2007



Glenn M. Seager, Reg. No. 36,926  
CROMPTON, SEAGER & TUTTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Tel: (612) 677-9050